

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY M. MENDOZA,  
Plaintiff,

v.

HIGH PERFORMANCE CAPITAL INC., et  
al.,  
Defendants.

Case No. [16-cv-05556-DMR](#)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE FOR FAILURE TO  
PROSECUTE**

On September 12, 2017, the court issued an Order to Show Cause, instructing Plaintiff Anthony M. Mendoza to submit a written statement by no later than September 20, 2017 explaining his failure to file an opposition to Defendant High Performance Capital Inc.'s motion for summary judgment. [Docket No. 34.] The Order to Show Cause stated that failure to respond by September 20, 2017 may result in dismissal of this action. Plaintiff did not respond to the Order to Show Cause. Accordingly, this matter is hereby dismissed without prejudice for failure to prosecute.

**IT IS SO ORDERED.**

Dated: September 25, 2017

